UNITED STATES PATENT AND TRADEMARK OFFICE

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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

PTOL-90A (Rev. 04/07)

<table>
<tr><td rowspan="2">Office Action Summary</td><td>Application No.

09/970,052</td><td>Applicant(s)

TENORIO, MANOEL</td></tr>
<tr><td>Examiner

MARISSA LIU</td><td>Art Unit

3694</td><td></td></tr>
</table>

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on <u>21 October 2008</u>.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) <u>1-20</u> is/are pending in the application.

    4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) <u>1-20</u> is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

    a)☐ All   b)☐ Some * c)☐ None of:

      1.☐ Certified copies of the priority documents have been received.

      2.☐ Certified copies of the priority documents have been received in Application No. _____.

      3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☒ Notice of References Cited (PTO-892)

2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)

3)☐ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .

5)☐ Notice of Informal Patent Application

6)☐ Other: _____.

Water36DETAILED ACTION

Claim Rejections - 35 USC § 103

1.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

2.   Claims 1-6 are rejected under 35 U.S.C. 103(a) as being unpatentable by Lupien et al.,

U.S. Patent Num: 6,012,046 in view of Alsberg et al., US Publication Number; 2001/0032162

A1, further in view of Jordan, US Patent Number: 6,172,248 B1.

3.   As per claim 1, Lupien et al. teaches a system for generating a display of at least one side

of a market, the system comprising a computer system having one or more computers and

operable to:

the display comprising a price axis and a quantity axis, along the price axis representing

the prices, relative to the quantity axis (see column 6, lines 48-50 and column7, lines 29-40 and

Fig. 2-3 and 6),

access an average price specified by a user (see abstract);

calculate an offered quantity (see column 12, lines 7-13) available at the specified

average price (see Fig. 2 and column 6, lines 66-67 and column 7, lines 1-5); and

Lupien et al. does not teach:

receive market data reflecting the one or more offers, from a plurality of market

participants, each offer comprising at least an offered price and an offered quantity;

provide a plurality of offer bars representing the one or more offers from the plurality of

market participants, divide each of the plurality of offer bars into one or more bar segments, each

bar segment corresponding to a particular offer from a particular market participant; prioritize

each bar segment within the plurality of offer bars by vertically positioning each bar segment in

the plurality of offer bars according to a prioritization scheme; generate a display of the plurality

of offer bars, placement of each of the plurality of an offer bars offered for the one or more offers

represented by each of the plurality of offer bars, height of each of the plurality of offer bars

representing an aggregate offered quantity for the one or more offers represented by each of the

plurality of offer bars; based on the received market data; and indicate the calculated offered

quantity within the display of the received market data;

Alsberg et al. teaches:

receive market data reflecting the one or more offers, from a plurality of market

participants, each offer comprising at least an offered price and an offered quantity (see Fig. 1

and 3; ¶ 0096); a plurality of offer representing the one or more offers from plurality of market

participants (Fig. 1 and 3; ¶ 0096); plurality of offer corresponding to a particular offer from a

particular market participant; (Fig. 1 and 3; ¶ 0096); within the plurality of offer bars in the

plurality of offer bars (Fig. 1 and 3; ¶ 0096); the plurality of offer each of the plurality of an offer

for the one or more offers represented by each of the plurality of offer aggregate offered quantity

for the one or more offers represented by each of the plurality of offer each of the plurality of

offer (Fig. 1 and 3; ¶ 0096); based on the received market data; and indicate the calculated

offered quantity (Fig. 1 and 3; ¶ 0096); within the display of the received market data (Fig. 1

and 3; ¶ 0096).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add receive market data reflecting the one or more offers, from a

plurality of market participants, each offer comprising at least an offered price and an offered

quantity a plurality of offer representing the one or more offers from plurality of market

participants, plurality of offer corresponding to a particular offer from a particular market

participant, within the plurality of offer bars in the plurality of offer bars, the plurality of offer

each of the plurality of an offer for the one or more offers represented by each of the plurality of

offer aggregate offered quantity for the one or more offers represented by each of the plurality of

offer each of the plurality of offer, based on the received market data; and indicate the calculated

offered quantity, within the display of the received market data feature to the system of Lupien et

al. because Alsberg et al. teaches that the feature helps to generate accurate real-time valuable

marketplace information (¶ 0002).

Jordan teaches: provide bars (Fig. 5; column 13, lines 41-olumn 14, line 43; column 26,

line 51-67); divide each of the bars into one or more bar segments, each bar segment (Fig. 5;

column 13, lines 41-olumn 14, line 43; column 26, line 51-67);prioritize each bar segment by

vertically positioning each bar segment according to a prioritization scheme (Fig. 5; column 13,

lines 41-olumn 14, line 43; column 26, line 51-67); generate a display of bars, placement of bars

offered bars, height of bars representing an bars (Fig. 5; column 13, lines 41-olumn 14, line 43;

column 26, line 51-67);

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add provide bars, divide each of the bars into one or more bar

segments, each bar segment, prioritize each bar segment by vertically positioning each bar

segment according to a prioritization scheme, generate a display of bars, placement of bars offered bars, height of bars representing an bars feature to the system of Lupien et al. because Jordan teaches that the feature helps to graphically displaying and monitoring the measurements and status (abstract, columns 13, 14 and 26).

4.   As per claim 2, Lupien et al., Jordan and Alsberg et al. teach the system of Claim 1 described above. Lupien et al. further teaches wherein the indication of the calculated offered quantity comprises a line placed along the quantity axis at the calculated offered quantity (see Fig. 2-3 and 6).

5.   As per claim 3, Lupien et al., Jordan and Alsberg et al. teach the system of Claim 1 described above. Lupien et al. further teaches wherein:

the computer system is further operable to indicate the specified average price (see Fig. 2 and column 6, lines 65-67) in addition to the calculated offered quantity (see column 12, lines 10-13) ; and

the display of the specified average price comprises a line placed along the

price axis at the specified average price (see Fig. 2-3 and 6).

6.   As per claim 4, Lupien et al., Jordan and Alsberg et al. teach the system of Claim 1, wherein:

the offers comprise asks (see column 2, lines 5-9);

the market participants comprise sellers (see column 2, lines 5-6);

offered prices comprise ask prices (see column 2, lines 5-27 and abstract);

offered quantities comprise ask quantities (see column 2, lines 5-27 and abstract).;

the offer bars comprise ask bars (see Fig. 9A and column 12, lines 24-32);

the specified average price comprises an average buy price (see column 7, lines 42-47);

and

the calculated offered quantity comprises a quantity available at the specified average buy

price (see column 6, lines 66-67, column 19, lines 55-67 and Fig. 2).

7.   As per claim 5, Lupien et al, Jordan and Alsberg et al. teach the system of Claim 1

described above. Lupien et al. further teaches wherein the computer system is further operable

to:

access a quantity specified by the user (see Fig 2 and column 6, lines 66-67).;

calculate an average offered price at which the specified quantity is available

based on the market data (see column 19, lines 53-67, Fig. 2-3, and 6); and

indicate the calculated average offered price within the display of the received

market data (see column 2, lines 20-25).

8.   As per claim 6, Lupien et al., Jordan and Alsberg et al. teach the system of Claim 1

described above. Lupien et al. further teaches wherein the computer system is further operable

to:

receive new market data reflecting one or more changes in the one or more offers (see

abstract and column 2, lines 18-33); and

in response to receiving the new market data, update the display of the market data (see

column 7, lines 55-58).

9.   Claims 10-16, and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable by

Lupien et al., U.S. Patent Num: 6,012,046 in view of Alsberg et al., US Publication Number;

2001/0032162 A1, further in view of Official Notice.

10.   As per claim 10, Lupien et al. teaches a system for generating a display of at least one

side of a market, the system comprising a computer system having one or more computers and

operable to:

the display comprising a price axis and a quantity axis (see column 6, lines 48-50 and

column7, lines 29-40 and Fig. 2-3 and 6),

access an average price specified by a user (see abstract);

calculate an offered quantity (see column 12, lines 7-13) available at the specified

average price (see Fig. 2 and column 6, lines 66-67 and column 7, lines 1-5); and

Lupien et al. does not teach:

receive market data reflecting the one or more offers, from a plurality of market

participants, each offer comprising at least an offered price and an offered quantity;

generate a display of the received market data, the display comprising a price axis, a

quantity axis, and one or more offer bars, each offer bar representing one or more offers

comprising substantially equal offered prices, placement of an offer bar along the price axis

representing the substantially equal offered prices for one or more offers represented by the offer

bar, height of an offer bar relative to the quantity axis representing an aggregated offered

quantity for the one or more offers represented by the offer bar; based on the received market

data; and indicate the calculated offered quantity within the display of the received market data;

Alsberg et al. teaches:

receive market data reflecting the one or more offers, from a plurality of market

participants, each offer comprising at least an offered price and an offered quantity (see Fig. 1

and 3; ¶ 0096);

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add receive market data reflecting the one or more offers, from a

plurality of market participants, each offer comprising at least an offered price and an offered

quantity feature to the system of Lupien et al. because Alsberg et al. teaches that the feature

helps to generate accurate real-time valuable market place information (¶ 0002).

Official Notice is taken that generate a display of the received market data, the display

comprising a price axis, a quantity axis, and one or more offer bars, each offer bar representing

one or more offers comprising substantially equal offered prices, placement of an offer bar along

the price axis representing the substantially equal offered prices for one or more offers

represented by the offer bar, height of an offer bar relative to the quantity axis representing an

aggregated offered quantity for the one or more offers represented by the offer bar; based on the

received market data; and indicate the calculated offered quantity within the display of the

received market data feature is old and well known in the trading business as a convenient way

for buyer/seller to analyze or visualize market data. It would have been obvious at the time of

the invention to have included the feature to generate a display. The applicant does not properly

traverse the Official Notice. Therefore, the Official Notice is the admitted prior art now.

11.   Claim 11 is equivalent of claim 10. Please refer to claim 10 rejection described above.

12.   Claim 12 is equivalent of claim 10. Please refer to claim 10 rejection described above.

13.   As per claim 13, Lupien teaches a system for generating a display of at least one side of a

market, the system comprising a computer system having one or more computers and operable

to:

access an average buy price specified by a user (see abstract);

calculate a quantity (see column 12, lines 7-13) available at the average buy (see Fig.2 and column 6, lines 66-67 and column 7, lines 1-5);

indicate the specified average buy price, the indication of the specified average buy price comprising a line placed along the price axis at the specified average price (see Fig. 2 and column 6, lines 66-67 and column 7, lines 1-45);

indicate the calculated quantity within the display of the received market data, the indication of the calculated quantity comprising a line placed along the quantity axis at the calculated offered quantity (see Fig.2, column 7, lines 1-45, and column 12, lines 1-13);.

access a quantity specified by the user (see abstract);

calculate an average buy price at which the specified quantity is available based on the market data (see column 12, lines 1-14);

the indication of the specified quantity comprising a line placed along the quantity axis at the specified quantity (see Figs. 2-3 and 6-7);

indicate the calculated average buy price, the indication of the calculated average buy price comprising a line

placed along the price axis at the calculated average buy price (see Figs. 2-3 and 6-7);

receive new market data reflecting one or more changes in the one or more asks (see column 2, lines 1-30 and column 7, lines 30-62); and

in response to receiving the new market data, update the display of the market data (see column 7, lines 55-60).

Lupien et al. does not teach:

generate a display of the received market data, the display comprising a price axis, a

quantity axis, and one or more ask bars, each ask bar representing one or more asks comprising

substantially equal ask prices, placement of an ask bar along the price axis representing the

substantially equal ask prices for the one or more asks represented by the ask bar, height of an

ask bar relative to the quantity axis representing an aggregate ask quantity for the one or more

asks represented by the ask bar; within the display of the received market data; price based on

the received market data;

receive market data reflecting the one or more asks, from one or more market

participants, each ask comprising an ask price and an ask quantity;

indicate the specified quantity within the display of the received market data.

Alsberg et al. teaches:

receive market data reflecting the one or more asks, from one or more market

participants, each ask comprising at least an offered price and an ask quantity (see Fig. 1 and 3; ¶

0096);

indicate the specified quantity within the display of the received market data (¶ 0174; Fig.

23).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add receive market data reflecting the one or more asks, from one or

more market participants, each ask comprising at least an ask price and an ask quantity and

indicate the specified quantity within the display of the received market data feature to the

combined system of Alsberg et al., Lupien et al. and Official Notice because Alsberg et al.

teaches that the feature helps to generate accurate real-time valuable marketplace information (¶ 0002).

Official Notice is taken that generate a display of the received market data, the display comprising a price axis, a quantity axis, and one or more ask bars, each ask bar representing one or more asks comprising substantially equal ask prices, placement of an ask bar along the price axis representing the substantially equal ask prices for the one or more asks represented by the ask bar, height of an ask bar relative to the quantity axis representing an aggregate ask quantity for the one or more asks represented by the ask bar, within the display of the received market data and price based on the received market data feature is old and well known in the trading business as a convenient way for buyer/seller to analyze or visualize market data. It would have been obvious at the time of the invention to have included the feature to generate a display. The applicant does not properly traverse the Official Notice. Therefore, the Official Notice is the admitted prior art now.

14.   As per claim 14, Lupien et al. teaches a system for generating a display of at least one side of a market, the displayed side of the market comprising one or more offers from one or more market participants, each offer comprising at least an offered price and an offered quantity, the system comprising a computer system having one or more computers and operable to:

        access a quantity specified by the user (see abstract and column 6, lines 40-67);

        calculate a first average offered price (see column 2, lines 49-67) and a second average offered price (see abstract and column 12, lines 1-15).

        first average offered price comprising a price at which the specified quantity is

available independent of the approved market participant list (see column 2, lines 49-67, where "anonymous" is equivalent of 'independent of the approved market participant list"), the second average offered price comprising a price at which the specified quantity is available taking into account the approved market participant list (see abstract and column 12, lines 1-15), the first calculated average offered price being less than or equal to the second calculated average offered price (see column 19, lines 54-59); and

indicate the first and second calculated average prices (see column 7, lines 30-62). Lupien et al. does not teach:

receive market data reflecting the one or more offers, from one or more market participants, each offer comprising an offered price and an offered quantity;

generate a display of the received market data, the display comprising a price axis, a quantity axis, a first price curve comprising a plot of average offered price as a function of quantity alone, and a second price curve comprising a plot of average offered price as a function of quantity and an approved market participant list for a user, there being an area separating at least certain portions of the first price curve from certain portions of the second price curve, there generally being higher average offered prices associated with the first price curve and lower average offered prices associated with the second price curve; within the display of the received market data;

Alsberg et al. teaches:

receive market data reflecting the one or more offers, from one or more market participants, each offer comprising an offered price and an offered quantity (see Fig. 1 and 3; ¶ 0096);

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add receive market data reflecting the one or more offers, from one or more market participants, each offer comprising an offered price and an offered quantity feature to the combined system of Lupien et al. because Alsberg et al. teaches that the feature helps to generate accurate real-time valuable marketplace information (¶ 0002).

Official Notice is taken that generate a display of the received market data, the display comprising a price axis, a quantity axis, a first price curve comprising a plot of average offered price as a function of quantity alone, and a second price curve comprising a plot of average offered price as a function of quantity and an approved market participant list for a user, there being an area separating at least certain portions of the first price curve from certain portions of the second price curve, there generally being higher average offered prices associated with the first price curve and lower average offered prices associated with the second price curve, within the display of the received market data feature is old and well known in the trading business as a convenient way for buyer/seller to analyze or visualize market data. It would have been obvious at the time of the invention to have included the feature to generate a display. The applicant does not properly traverse the Official Notice. Therefore, the Official Notice is the admitted prior art now.

15.   As claim 15, Lupien et al., Official Notice and Alsberg et al. teach the system of Claim 14 described above. Lupien et al further teaches wherein the indication of the first and second calculated average offered prices comprises a line placed along the quantity axis at the specified quantity, the line intersecting the first price curve at the first calculated average offered price, the

line intersecting the second price curve at the second calculated average offered price (see Figs. 2-3 and 6-7).

16.   As per claim 16 Lupien et al., Official Notice and Alsberg et al. teach the system of

Claim 14 described above. Lupien further teaches wherein:

> the offers comprise asks (see column 2, lines 5-9);

> the market participants comprise sellers (see column 2, lines 5-6);

> offered prices comprise ask prices (see column 2, lines 5-27 and abstract);

> offered quantities comprise ask quantities (see column 2, lines 5-27 and abstract);

> the approved market participant list comprises an approved seller list; and

> the calculated first and second average offered prices each comprise an average buy price

at which the specified quantity is available (see Fig. 2, column 2, lines 66-67 and column 6, lines

48-50).

17.   As per claim 19, claim 19 is equivalent of claim 14. Please refer to claim 14 rejection

described above.

18.   As per claim 20, claim 20 is equivalent of claim 14. Please refer to claim 14 rejection

described above.

19.   Claims 7 is rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al., U.S.

Patent No.: 6,012,046, in view of Alsberg et al., US Publication Number: 2001/0032162A1, in

view of Jordan, US Patent Number: 6,172,428 B1, further in view of Buist, US Patent Number:

6,408,282 B1.

20.   As per claim 7, Lupien et al., Jordan and Alsberg teach the system of claim 1 described

above. Lupien further teaches wherein the computer system is further operable to:

calculate the offered quantity available at the specified average price in addition to the

received market data (see Fig.2 and column 6, lines 66-67 and column 7, lines 1-5).

Lupien does not teaches the following:

access an approved market participant list;

adjust the heights of one or more offer bars to reflect one or more market participants

being excluded from the approved market participant list; and

based on the approved market participant list.

Buist teaches access seller/participant list (column 21, lines 17-18; Fig. 42; column 7,

lines 56-column 8, line 2; column 11, lines 9-14; column 3, lines 33-34; Fig. 40; Fig. 49; Fig.

48B) and adjust offer (column 21; column 3, lines 22-56; Figs 54, 5-6, and 25). Therefore, it

would be prima fascia obvious for one of ordinary skill in the art to add access seller/participant

list feature to the combined method of Lupien et al., Buist et al. and Alsberg et al. because Buist

teaches that adding the feature helps to support an improved human interface and provides faster

access to critical information (see column 2, lines 65-67 and column 3, lines 33-34).

21.   Claims 8-9 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al.,

U.S. Patent No.: 6,012,046 in view of Alsberg et al., US Publication Number: 2001/0032162A1,

in view of Jordan, US Patent Number: 6,172,428 B1, further in view of Buist, US Patent

Number: 6,408,282 B1.

22.   As per claim 8, Lupien et al., Alsberg et al., Buist et al., and Jordan teach the system of

Claim 7 described above. Lupien et al. further teaches wherein:

the offers comprise asks (see column 2, lines 5-9);

the market participants comprise sellers (see column 2, lines 5-6);

offered prices comprise ask prices (see column 2, lines 5-27 and abstract);

offered quantities comprise ask quantities (see column 2, lines 5-27 and abstract);

the specified average price comprises an average buy price (see column 7, lines 42-47);

and

the calculated offered quantity comprises a quantity available at the average buy price

(see column 6, lines 66-67, column 19, lines 55-67).

Lupien does not teach:

the offer bars comprise ask bars;

the approved market participant list comprises an approved seller list;

Buist teaches:

the offer bars comprise ask bars (see Fig. 14 and column 15, lines 30-67);

the approved market participant list comprises an approved seller list (see column 3, lines

33-34; Fig. 40; Fig. 49; Fig. 48B, where "seller to notify seller's broker of authorized

transaction" is equivalent of "approved seller list").

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add market participant list and offer bars comprise ask bars features to

the combined system of Lupien et al., Official Notice and Alsberg et al. because Buist teaches

that adding market participant list and offer bars comprise ask bars features help supports an

improved human interface and provides faster access to critical information (see column 2, lines

65-67 and column 3, lines 33-34).

23.   As per claim 9, Lupien et al., Alsberg et al. and Jordan teach the system of Claim 7

described above. Buist further teaches:

operable to divide each of the offer bars into one or more bar segments, each bar segment corresponding to a particular offer from a particular market participant (see Fig. 13; Fig. 14 shows the "divide each of the offer bars into one or more bar segments"; Fig. 49 and column 15, lines 30-67).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time the invention was made to add market participant list to the combined system of Lupien et al., Official Notice and Alsberg et al. because Buist teaches that adding market participant list helps supports an improved human interface and provides faster access to critical information (see column 2, lines 65-67 and column 3, lines 33-34).

24.   Claims 17-18 are rejected under 35 U.S.C. 103(a) as being unpatentable over Lupien et al., U.S. Patent No.: 6,012,046, in view of Alsberg et al., US Publication Number: 2001/0032162A1, in view of Official notice, further in view of Buist, US Patent Number: 6,408,282 B1.

25.   As per claim 17, Lupien et al., Official Notice, Buist et al. and Alsberg et al. teach the system of Claim 14. Lupien further teaches wherein the computer system is further operable to:

access an average price specified by the user (see abstract and column 6, lines 66-67) Lupien et al. does not teach:

calculate a first offered quantity and a second offered quantity, the first calculated offered quantity comprising a quantity available at the specified average price independent of the approved market participant list, the second calculated offered quantity comprising a quantity available at the specified average price taking into account the approved market participant list,

the first calculated offered quantity being greater than or equal to the second calculated offered

quantity; and indicate the first and second calculated offered quantities within the display of

the received market data.

Buist teaches:

calculate a first offered quantity (see column 37, lines15-45, where "a first list of offers to

sell" is equivalent of "a first offered quantity") and a second offered quantity (see column 37,

lines 15-45, where "second list of offers to sell" is equivalent of "second offered quantity"), the

first calculated offered quantity comprising a quantity available independent of the approved

market participant list, the second calculated offered quantity comprising a quantity available

taking into account the approved market participant list (see column 3, lines 33-34 and Figs. 40,

and 49), the first calculated offered quantity being greater than or equal to the second calculated

offered quantity; and indicate the first and second calculated offered quantities within the display

of the received market data (see Fig. 14, column 37, lines 15-47 and column 38, lines 1-26).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add market participant list and the first and second calculated offered

quantities features to the combined system of Lupien et al., Official Notice, Alsberg et al.

because Buist teaches that adding market participant list and the first and second calculated

offered quantities features help supports an improved human interface and provides faster access

to critical information (see column 2, lines 65-67 and column 3, lines 33-34).

26.   As per claim 18, Lupien et al., Official Notice, Buist et al. and Alsberg et al. teach the

system of Claim 14 described above. Buist further teaches wherein the computer system is

further operable to:

receive new market data reflecting one or more changes in the one or more

offers (see column 2, lines 65-67 and column 3, lines 1-44).

in response to receiving the new market data, update the display of the market

data (see column 2, lines 65-67 and column 3, lines 1-44).

Therefore, it would be prima facie obvious to one of ordinary skill in the art at the time

the invention was made to add receive new market data reflecting one or more changes in the

one or more offers and update display of the market data features to the combined system of

Lupien et al. Official Notice, and Alsberg et al because Buist teaches that adding receive new

market data reflecting one or more changes in the one or more offers and update display of the

market data features help supports an improved human interface and provides faster access to

critical information (see column 2, lines 65-67 and column 3, lines 33-34).

Response to Arguments

27.   Applicant's arguments with respect to claims 1-20 have been considered but are moot in

view of the new ground(s) of rejection.

Conclusion

28.   Applicant's amendment necessitated the new ground(s) of rejection presented in this

Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a).

Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE

MONTHS from the mailing date of this action. In the event a first reply is filed within TWO

MONTHS of the mailing date of this final action and the advisory action is not mailed until after

the end of the THREE-MONTH shortened statutory period, then the shortened statutory period

will expire on the date the advisory action is mailed, and any extension fee pursuant to 37

CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the date of this

final action.

Any inquiry concerning this communication or earlier communications from the

examiner should be directed to MARISSA LIU whose telephone number is (571)270-1370. The

examiner can normally be reached on IFP.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, James Trammell can be reached on 571-272-6712. The fax phone number for the

organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published applications

may be obtained from either Private PAIR or Public PAIR. Status information for unpublished

applications is available through Private PAIR only. For more information about the PAIR

system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR

system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would

like assistance from a USPTO Customer Service Representative or access to the automated

information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/M. L./
Examiner, Art Unit 3694

/James P Trammell/
Supervisory Patent Examiner, Art Unit 3694